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6 and CASH FLOW FINANCIAL, LLC

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

ALAN J. WATSON; CASH FLOW
FINANCIAL, LLC, a Michigan limited
liability company.

Case No. SACV 10-00459-DOC-(MLGx)

AMENDED PARTIAL FINAL JUDGMENT

Action Filed: April 13, 2010
Trial Date: None

BLUE DIAMOND EXCAVATION, INC.,
a California corporation; WILLIAM V.
ISON; OLATHE MINING COMPANY,
INC., a Colorado corporation; SUNDIAL
INVESTMENT GROUP, LLC, a Maryland
limited liability company; and DOES 1
through 10, inclusive,

Defendants.

Plaintiffs ALAN J. WATSON and CASH FLOW FINANCIAL, LLC (“Plaintiffs”) and BLUE DIAMOND EXCAVATION, INC., WILLIAM V. ISON and OLATHE MINING COMPANY, INC. (“Settling Defendants”), by their attorneys of record, having presented for judicial approval the Stipulation for Consent to Entry of Partial Final Judgment, and the Court having satisfied itself as to the fairness, adequacy, and propriety of the proposed Partial Final Judgment, and finding no just reason for delay,

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the attached Stipulation
2 for Consent to Entry of Partial Final Judgment is the judgment of this Court.
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5 Dated: 12-11-11
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8 *David O. Carter*
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10 UNITED STATES DISTRICT COURT JUDGE
11 DAVID O. CARTER
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5 Attorneys for Plaintiffs ALAN J. WATSON
1 and CASH FLOW FINANCIAL, LLC

11 ALAN J. WATSON; CASH FLOW
12 FINANCIAL, LLC, a Michigan limited
liability company.

Plaintiffs.

vs.

16 BLUE DIAMOND EXCAVATION, INC.,
17 a California corporation; WILLIAM V.
18 ISON; OLATHE MINING COMPANY,
19 INC., a Colorado corporation; SUNDIAL
INVESTMENT GROUP, LLC, a Maryland
limited liability company; and DOES 1
through 10, inclusive.

Defendants.

Case No. SACV 10-00459-DOC-(MLGx)

**STIPULATION FOR CONSENT TO ENTRY
OF PARTIAL FINAL JUDGMENT**

Action Filed: April 13, 2010
Trial Date: None

2 Plaintiffs ALAN J. WATSON and CASH FLOW FINANCIAL, LLC (“Plaintiffs”) and
3 BLUE DIAMOND EXCAVATION, INC., WILLIAM V. ISON and OLATHE MINING
4 COMPANY, INC. (“Settling Defendants”), and their attorneys of record stipulate as follows:

5 1. Judgment may be entered in favor of Plaintiffs upon Plaintiffs' First Amended
6 Complaint as to Settling Defendants only, and only as to Plaintiffs' eighth cause of action, for
7 breach of contract. This judgment shall be joint and several among the Settling Defendants.
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1 2. The judgment amount shall be one million dollars (\$1,000,000) with interest
2 accruing from date of entry of judgment at six percent (6%) per annum (the "Judgment
3 Amount"), to be paid upon the following terms: a.) Settling Defendants shall cause to be
4 delivered to Plaintiffs' attorneys of record a check made payable to "Cash Flow Financial, LLC"
5 in the amount of one hundred thousand dollars (\$100,000), said check to be received by no later
6 than December 1, 2010 (the "Initial Payment"); b.) Settling Defendants shall cause to be
7 delivered each month thereafter to Plaintiffs' attorneys of record a check made payable to "Cash
8 Flow Financial, LLC" in the amount of one hundred thousand dollars (\$100,000), each such
9 check to be received by no later than the first of each month (the "Monthly Payments"); c.)
10 Monthly Payments shall continue until the Judgment Amount, including both principal and
11 interest, has been paid in full. In the event of a default, the full Judgment Amount becomes
12 immediately due and owing, provided, however, that Plaintiffs or their counsel shall give written
13 notice by fax transmission to counsel for Settling Defendants of any such default, and Settling
14 Defendants shall have seven (7) days following the due date to cure the default. Each side shall
15 bear its own costs and fees, provided that the Settling Defendants make the payments as required
16 by this stipulation.

17 3. Plaintiffs' first through seventh (1st-7th) causes of action against Settling
18 Defendants are to be dismissed. Judgment is to be entered in favor of Plaintiffs and against
19 Settling Defendants, jointly and severally, on Plaintiffs' eighth (8th) cause of action only.

20 4. This stipulation settles part of the above-entitled action, and the parties hereby
21 apply jointly to the Court to enter partial final judgment pursuant to the terms of this stipulation.
22 On entry, the judgment pursuant to this stipulation will become final. In the event the remainder
23 of this case is dismissed or determined by default or judgment on the merits prior to completion
24 of the Monthly Payments, Plaintiffs and Settling Defendants consent to the continuing
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1 jurisdiction of this court until the Judgment Amount has been paid in full, and Plaintiffs'
2 attorneys of record will notify the court when such event has occurred.
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4 5. A copy of the proposed judgment in a form approved by Plaintiffs and the Settling
5 Defendants (together, the "Settling Parties") is attached to this stipulation.
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8 Dated: September 13, 2010
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11 s/ Edward F. Mitchell
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LAW OFFICES OF EDWARD F. MITCHELL
Attorney for Plaintiffs ALAN J. WATSON
and CASH FLOW FINANCIAL, LLC

Dated: September 13, 2010

s/ Mariano A. Alvarez

LAW OFFICES OF MARIANO A. ALVAREZ
Attorneys for Defendants BLUE DIAMOND EXCAVATION, INC.,
WILLIAM V. ISON and OLATHE MINING COMPANY, INC.

LAW OFFICES OF EDWARD F. MITCHELL